

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING

OF  
TUESDAY, MARCH 4, 1986  
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:27 a.m. The meeting was recessed by Deputy Mayor Struiksma at 12:04 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Struiksma at 2:15 p.m. Participants of the Gompers Magnet "Mock Trial" Team were acknowledged. The meeting was recessed by Deputy Mayor Struiksma at 5:27 p.m. to convene as the Joint City Council and Redevelopment Agency. The meeting was reconvened by Chairperson Gotch at 5:54 p.m. with Deputy Mayor Struiksma and Council Member McCarty not present and was immediately adjourned at 5:54 p.m. to meet in Closed Session on Monday, March 10, 1986, at 1:30 p.m. in the twelfth floor conference floor on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present
- Clerk-Abdelnour (bb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present

(8) Council Member Martinez-present

ITEM-202: (R-86-1594) ADOPTED AS RESOLUTION R-265188

(Continued from the meeting of February 18, 1986, Item S404c, at the City Manager's request.)

The matter of Council discussion of an argument for or against the POA ballot proposal and authorizing the submittal of the argument by a member or members of the Council as designated.

FILE: MEET

COUNCIL ACTION: (Tape location: C020-030.)

MOTION BY MARTINEZ TO ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE THE BALLOT ARGUMENT IN OPPOSITION TO THE SAN DIEGO POLICE OFFICERS ASSOCIATION SALARY INITIATIVE ADDING TO THE CITY CHARTER A NEW SECTION 130.1, AND TO PREPARE THE BALLOT PROPOSITION TO AMEND CHARTER SECTION 11.1 AND TO ADD A NEW SECTION 11.2 TO THE CITY CHARTER. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

19860304

ITEM-330: (R-86-1771) ADOPTED RESOLUTION R-265190 GRANTING THE APPEAL AND DENYING THE PERMIT

(R-86-1772) ADOPTED RESOLUTION R-265189 CERTIFYING ENVIRONMENTAL NEGATIVE DECLARATION  
END-85-04

Matter of the appeal of Robert E. Dingeman, President, Scripps Ranch Civic Association, from the decision of the Board of Zoning Appeals in granting Conditional Use Permit CUP-18932, which proposes to construct a 7,552 sq. ft., seven-classroom preschool for a maximum of 170 children where use is permitted by Conditional Use Permit only. The subject property is located at 10415 Scripps Trail, in Zone R1-6000, in the Scripps Miramar Ranch Community Plan area, and is further described as Lot 216, McMillin Scripps Three Unit 2, Map-10923.

(CUP-18932. District-5.)

FILE: ZONE Zoning Appeal C-18932

COUNCIL ACTION: (Tape location: A014-B375.)

Hearing began 10:37 a.m. and halted 11:36 a.m.

Planning Department announced that there was a requirement for an environmental review of the project contained in

Environmental Negative Declaration END-85-06-04.

Testimony in favor of the appeal by Richard Davis, Donald Fannin, Edward Jabonski, Peter Kaufman, John Royer and Bob Dingeman.

Testimony in opposition of the appeal by Larry Marshall, Pauline Condrick, Karen Brassfield, Linda Axelstone, Mary Ann Riordan, Janelle Davis, Dinia Caldwell-Green, Daniel Major, and Allen Cooper.

The hearing was closed.

MOTION BY CLEATOR TO ADOPT A RESOLUTION GRANTING THE APPEAL AND DENYING THE PERMIT WITH THE RECOMMENDATION THAT THE APPLICANT AND DEVELOPER SEEK AN ALTERNATIVE SITE, AND ADOPT A RESOLUTION CERTIFYING THAT THE INFORMATION CONTAINED IN ENVIRONMENTAL NEGATIVE DECLARATION END-85-0604 HAS BEEN REVIEWED AND CONSIDERED BY THE COUNCIL. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-331:

Two actions relative to the Coronado Avenue (Madden Avenue to Beyer Boulevard) Underground Utility District:  
(Otay Mesa-Nestor Community Area. District-8.

Subitem-A: (R-86-1540) ADOPTED AS RESOLUTION R-265191  
Establishing the Coronado Avenue (Madden Avenue to Beyer Boulevard) Underground Utility District.

Subitem-B: (R-86-1541) ADOPTED AS RESOLUTION R-265192  
Revising Resolution R-264661, adopted December 16, 1985, describing the Capital Improvement Program, entitled "Coronado Avenue (27th Street to Beyer Boulevard) Underground Utility District," to reflect the revised boundaries of the proposed district to wit: Coronado Avenue (Madden Avenue to Beyer Boulevard) Underground Utility District.

CITY MANAGER REPORT: The proposed district will underground the overhead utilities on Coronado Avenue between Madden Avenue and Beyer Boulevard. This project would be accelerated from Calendar Year 1991, in place of Beyer Boulevard (Palm Avenue to northerly City limits), in the 1987 Capital Improvements Program to coincide with the scheduled street-widening on Coronado Avenue. The overhead utilities on Beyer Boulevard between Palm Avenue and northerly City limits have been placed underground

during recently completed residential development. The formation of this district will require the affected property removal of the overhead facilities. There are 7 affected properties in this district, all of which are commercial or multi-family properties. Conversion costs on commercial properties may vary from \$600 to several thousand dollars or more, due to differences in service size and location. The recently adopted Council Policy 800-2 provides for the use of reimbursement payments of \$300 each to affected property owners whose trench exceeds 15 feet in length. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 86419 Rev.

FILE: STRT K-155

COUNCIL ACTION: (Tape location: B385-389.)

Hearing began 11:37 a.m. and halted 11:38 a.m.

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-not present, Martinez-yea, Mayor-vacant.

19860304

ITEM-332: (R-86-1776) ADOPTED AS RESOLUTION R-265193

The matter of Council discussion regarding appeals from the decision of the Board of Zoning Appeals.

(Directed by Council directive at the meeting of January 27, 1986.)

FILE: MEET

COUNCIL ACTION: (Tape location: B389-707.)

Motion by Wolfsheimer to not hear appeals from the decision of the Board of Zoning Appeals and to set up clear standards for hearings. Second by Martinez. Failed by the following vote: Yeas-1,8. Nays-2,3,4,5,6,7. Mayor-vacant.

MOTION BY GOTCH TO RETAIN PRESENT PUBLIC ACCESS THROUGH THE APPEAL SYSTEM AND DIRECT THE CITY MANAGER, CITY ATTORNEY, PLANNING DIRECTOR, AND CITY CLERK TO REVIEW EXISTING PROCEDURES FOR HEARING APPEALS AND REPORT TO THE RULES COMMITTEE. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

19860304

ITEM-333:

(Continued from the meeting of February 18, 1986, Item 331,

at Council Member Martinez's request.)

Appeal of the County of San Diego, Department of Planning and Land Use, by Walter C. Ladwig, Director, from the decision of the Planning Commission in approving Tentative Map TM-85-0578 (San Diego Business Park), which proposes a 24-lot industrial subdivision and potential street reservation for proposed highway number SR 117. The subject 79.4-acre site is located on the south side of Otay Mesa Road, east of Harvest Road, and is further described as a portion of Section 36, Township 18 South, Range 1 West, S.B.B.M., in the Otay Mesa Development District, Industrial Subdistrict, in the Otay Mesa Community Plan area.

(TM-85-0578. District-8.)

Subitem-A: (R-86-1790) ADOPTED AS RESOLUTION R-265194

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0578 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-1791) ADOPTED AS RESOLUTION R-265195  
DENYING THE APPEAL AND GRANTING  
THE MAP

Adoption of a Resolution granting the appeal and denying the map or denying the appeal and granting the map with appropriate findings to support Council action.

FILE: SUB San Diego Business Park

COUNCIL ACTION: (Tape location: D066-095; D451-G089.)

Hearing began at 2:21 p.m. and recessed at 2:23 p.m.

Hearing resumed at 2:48 p.m. and halted at 4:31 p.m.

Testimony in favor by Brian Bilbray, David Cruz, Howard D. Cornell, and Joe Ellis, Jr.

Testimony in opposition by Paul Peterson, William Rick, and Michael Murphy.

MOTION BY MARTINEZ TO ADOPT SUBITEMS A AND B DENYING THE APPEAL AND GRANTING THE TENTATIVE MAP 85-0578 WITH THE SAME CONDITIONS (1 THROUGH 22) AS APPROVED BY THE PLANNING COMMISSION, EXCEPT CONDITION 7 WHICH SHALL READ AS FOLLOWS: "OTAY MESA ROAD IS CLASSIFIED AS A 4-LANE MAJOR STREET. IN CONNECTION WITH THIS SUBDIVISION, THE PORTION OF OTAY MESA ROAD ADJACENT TO THE SUBDIVISION SHALL BE DEDICATED AND GRADED 49 FEET WIDE. THIS

RIGHT-OF-WAY SHALL BE IMPROVED WITH THE CURB AT A 10-FOOT CURB-TO-PROPERTY-LINE DISTANCE, 5-FOOT WIDE SIDEWALK AND A 36-FOOT WIDE PAVED ROADWAY WITH A 3-FOOT GRADED SHOULDER TO THE CENTER LINE. THIS GRADED SHOULDER SHALL BE TEMPORARILY LANDSCAPED. NO SIDEWALK MEDIAN SHALL BE CONSTRUCTED BUT THE CENTER MEDIAN WILL BE LANDSCAPED. THE SUBDIVIDER SHALL OFFER TO DEDICATE, FOR A PERIOD OF FIVE YEARS, A TWELVE-FOOT WIDE STRIP OF LAND ALONG THE NORTHERLY SUBDIVISION BOUNDARY FOR THE POSSIBLE FUTURE WIDENING OF OTAY MESA ROAD TO A SIX-LANE FACILITY. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-334:

Rezoning a .68-acre site, located on the northeast corner of Coronado Avenue and 19th Street, in the Otay Mesa-Nestor Community Plan area, from Zone R1-5000 to Zone CA-RR. The subject property is further described as a portion of the Southwest Quarter of the Northeast Quarter of Section 28, Township 18 South, Range 2 West, S.B.B.M. (Case-85-0807. District-8.)

Subitem-A: (R-86-1482) ADOPTED AS RESOLUTION R-265196

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0807 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-86-146) INTRODUCED, TO BE ADOPTED MARCH 17, 1986

Introduction of an Ordinance for CA-RR zoning.

FILE:

Subitem A - ZONE ORD. NO.;

Subitem B --

COUNCIL ACTION: (Tape location: G090-462.)

Hearing began at 4:32 p.m. and halted at 4:57 p.m.

Council Member McCarty left at 4:41 p.m.

Testimony in favor by Alan R. Perry and Sean Schraeger.

Testimony in opposition by Barbara Baynton, Ruth Schneider, and

Robert Gish.

MOTION BY MARTINEZ TO ADOPT SUBITEM A AND INTRODUCE SUBITEM B.

Second by Cleator. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,  
Struiksma-yea, Gotch-yea, McCarty-not present, Martinez-yea,  
Mayor-vacant.

ITEM-335: (O-86-145) INTRODUCED, TO BE ADOPTED MARCH 17,  
1986

Rezoning 52 lots, located on the west side of Camino del la  
Costa between Costa Place and Palomar Avenue, and on the  
west side of Avenida Cresta between Via del Norte and  
Avenida Cortez (a 30.85-acre area), in the La Jolla  
Community Plan area, from Zone R1-5000 to Zone R1-8000.  
The subject property is further described as all of Blocks  
1, 1A, 1B, 2 and 3, La Jolla Hermosa, Map-1810 and Lots 1  
through 14, Block 1, Hermosa Terrace, Map-2353. (City  
initiated.)

(Case-85-0844. District-1.)

Introduction of an Ordinance for R1-8000 Zoning.

FILE: --

COUNCIL ACTION: (Tape location: G463-570.)

Hearing began at 4:58 p.m. and halted at 5:02 p.m.

Testimony in favor by Stephen T. Toohill.

MOTION BY GOTCH TO INTRODUCE STAFF RECOMMENDATION FOR R1-8000

ZONING. Second by Martinez. Passed by the following vote:

Wolfsheimer-not present, Cleator-yea, McColl-yea, Jones-yea,  
Struiksma-yea, Gotch-yea, McCarty-not present, Martinez-yea,  
Mayor-vacant.

ITEM-336: (O-86-127) INTRODUCED, TO BE ADOPTED MARCH 17,  
1986

A proposal to approve the Marina Interim Planned District  
Ordinance. This interim ordinance specifies by sub-area  
the land uses permitted as well as the percentage amount of  
general land use for each development. The proposed  
ordinance will be in effect for a period of one year  
following the effective date of adoption and will supersede  
the underlying M-1 and M-2 Zones during that period.  
The subject property is located within an area generally  
bounded by Market Street and Harbor Drive on the south,  
Fourth Avenue on the east, Pacific Highway on the west and  
"F" Street on the north.

(District-8.)

Introduction of an Interim Ordinance defining land uses permitted in a portion of the Marina Redevelopment Project Area.

FILE: --

COUNCIL ACTION: (Tape location: G571-H270.)

Hearing began at 5:03 p.m. and halted at 5:26 p.m.

Testimony in favor by Dorothy Hom, William H. Sauls, Russ Marlett, and Ed Levine.

MOTION BY MARTINEZ TO INTRODUCE STAFF RECOMMENDATION. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Martinez-yea, Mayor-vacant. Motion by Martinez to extend the meeting past 5:30 p.m. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Martinez-yea, Mayor-vacant.

ITEM-S410: (R-86-1576) ADOPTED AS RESOLUTION R-265197

Authorizing the execution of a grant agreement with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$8,632,960 for the City's entitlement under the Community Development Block Grant (CDBG) Program; authorizing the City Manager to submit an Amended Statement of Community Development Objectives that reflects the changes made at the Public Services and Safety Committee meeting of February 19, 1986.

(See City Manager Report CMR-86-64; Committee Consultant Analysis PSS-86-1; memorandum from PSS Committee Consultant dated 2/20/86.)

COMMITTEE ACTION: Reviewed by PSS on 2/19/86. Recommendation to adopt the Resolution. Districts 1, 3, 4, 7 and 8 voted yea.

CITY MANAGER REPORT: On February 19, 1986 the Public Services and Safety Committee reviewed the Manager's recommendations for adjustments to the 1986 CDBG Programs resulting from a reduction in the City's entitlement of \$1,786,540. After discussion and public testimony, the Committee made the following adjustments: Programs eliminated: Morley Strip Landscaping (\$70,000), Barrio Logan Industrial Park (\$241,000), Community Project Administration (\$20,000), San Ysidro School District (\$198,880) and Contingencies (\$94,200).

Programs Reduced and their Reductions: Mid-City Park Sites (\$150,000), Streets and Alleys - Project First Class (\$250,000), Landscape Beautification - Project First Class (\$94,400), Linda



Vista Road Landscaping (\$135,439), Barrio Sidewalks (\$150,000), San Diego Housing Commission (\$168,060) and Social Services (\$214,361).

The previously approved 1986 CDBG Program must be revised to include the above mentioned adjustments and Amended Statement of Community Objectives submitted to HUD. In a related matter, the Committee requested that the City Manager identify the number of potential respondents should the City use a Request for Proposal (RFP) process for future Social Service funding. The United Way of San Diego estimates that there are approximately 700 agencies in the region who, depending on service categories, might respond to an RFP. The City currently funds 30 agencies with its available social service dollars.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: C036-146; D096-450.)

MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-nay, Gotch-nay, McCarty-yea, Martinez-yea, Mayor-vacant.

ADJOURNMENT:

The meeting was adjourned by Chairperson Gotch at 5:54 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: I065).